



0569L32.03F

HOUSE \_\_\_\_\_ AMENDMENT NO. \_\_\_\_\_

OFFERED BY  
REP. Jally of 45  
Amend HCS/SS/SS/SCS/S Bill No. 5565 of 211 Page 35 Section 660.261 Line 4  
by

inserting immediately after said line  
the following:

660.264. 1. A statement made by a person sixty years of age or older, or an adult with a disability, as defined in section 660.053, to and investigator for the department of health and senior services or to a member of law enforcement as defined by section 43.010, RSMo, relating to an offense, crime, or violation pursuant to sections 198.003 to 198.090, RSMo, sections 198.096 to 198.186, RSMo, section 660.050 and sections 660.250 to 660.320, not otherwise admissible by statute or court rule, is only admissible in evidence in administrative or civil actions brought by the department as substantive evidence to prove the truth of the matter asserted if:

(1) Such statement is recorded on videotape;

(2) The court finds, in a hearing conducted outside the presence of the jury that the time, content, and circumstances of the statement provide sufficient indicia of reliability and the affiant was competent at the time the statement was given;

(3) (a) The person testifies at the proceedings;

(b) The person is deceased; or

(c) The court determines that, due to the person's physical or mental condition, the person is incompetent to testify at the time of the civil, or administrative proceeding.

2. Notwithstanding subsection 1 of this section or any provision of law or rule of evidence requiring corroboration of statements, admissions, or confessions of the defendant, and notwithstanding any prohibition of hearsay evidence, a statement by a person sixty years of age or older, or an adult with a disability, as defined in section 660.053, is sufficient corroboration of a statement, admission, or confession.

Action taken \_\_\_\_\_

Date \_\_\_\_\_